

IN THE SUPREME COURT OF THE
STATE OF MONTANA

Supreme Court Cause No. DA 10-0218
(To be assigned by the Clerk of the Supreme Court)

Maxwell G. Battle, Jr.
Battle & Edenfield, PLLC
P.O. Box 3220
Kalispell, MT 59903
Phone: (406) 752-4107
Fax: (406) 752-4459
Email: battleedenfield@hotmail.com

GREG HALL,
Appellant,

v.

**DON HALL d/b/a DON HALL BUILDERS,
DONNA HALL d/b/a TOWN & COUNTRY
PROPERTY MANAGEMENT AND REAL ESTATE,
DEBRA CERNICK d/b/a DEBRA'S MONTANA
COUNTRY REAL ESTATE also d/b/a
MONTANA COUNTRY REAL ESTATE, and
JOHN HEINLEIN,**
Appellees.

FILED

MAY 03 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE OF APPEAL

NOTICE is given that GREG HALL, the Appellant above-named and who is the Plaintiff, in that cause of action filed in the Nineteenth Judicial District, in and for the County of Lincoln as Cause No. DV 07-67, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order signed February 18, 2009, filed February 20, 2009 and entered in such action on the 12th day of March, 2009.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought is not less than \$5,000.

2. That this appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."

3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.

4. That all available transcripts of the proceedings in this cause have not been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 1st day of May, 2010.



Maxwell G. Battle, Jr.
Attorney for Greg Hall,
Appellant/Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney

in the above-referenced District Court action, as follows: (list name and address of the Clerk of the District Court and each attorney or party served).

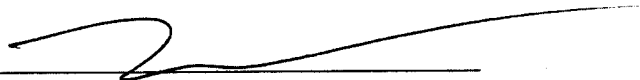
ORIGINAL:

<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Fax <input type="checkbox"/> E-mail	Ed Smith Clerk of the Montana Supreme Court Room 323, Justice Building 215 N. Sanders P.O. Box 203003 Helena, Montana 59620-3003
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COPIES SENT VIA US MAIL:

Ms. Nadine Pival Clerk of District Court 512 California Ave Libby, MT 59923 C.J. Johnson Kalkstein & Johnson, P.C. 225 Adams P.O. Box 8568 Missoula, MT 59807-8568 Don Hall, Jr. P.O. Box 1147 Libby, MT 59923	Tracy Axelberg, Esq. Christensen, Moore, Cockrell, Cummings, & Axelberg, P.C. P.O. Box 7370 Kalispell, MT 59904-7370 Amy Guth 408 Main Avenue Libby, MT 59923
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Dated this 1ST day of May 2010.



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